

PATENT

Attorney Docket No.: 13222.00014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of
Jeffrey L. Garwin

Serial No.: 09/989,092

Filed: November 19, 2001

For: Compositions and Methods for
Detecting Pre-Cancerous Conditions in
Cell and Tissue Samples Using
5,10,15,20-Tetrakis (Carboxyphenyl)
Porphine

Group Art Unit: 1641

Examiner: N/A

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**CERTIFICATE OF MAILING
UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Assistant Commissioner for Patents and Trademarks, Washington, D.C. 20231.

BY [Signature]

DATE: 2/18/02

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT

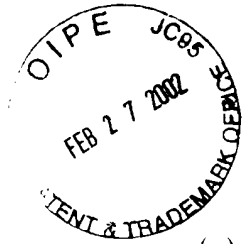
Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

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In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

() In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with () the first or () second After Final Submission, therefore:

- () Certification in Accordance with §1.97(e) is attached; or
- () The fee of \$180.00 as set forth in §1.17(p) is attached.

() In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:

- () Certification in Accordance with §1.97(e) is attached; or
- () The fee of \$180.00 as set forth in §1.17(p) is attached.

() In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$180.00 as set forth in §1.17(i)(1).

(x) Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

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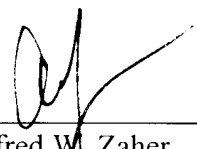
() In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.



() In accordance with §1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. §120 have been made in the instant application:

- () Copies of references [] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. ; filed .
- () If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

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List of Patent and Publications
Cited by Applicant
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U. S. PATENT DOCUMENTS

Docket No.
13222.00014

Serial No.
09/989,092

Applicant
Jeffrey L. Garwin, M.D., Ph.D.

Filing Date	Group
November 19, 2001	1641

Examiner Initial	Document No.	Date	Name	Class	Subclass
AA	4,485,086	Nov. 27, 1984	Wong	424	1.1
AB	4,783,529	Nov. 8, 1988	Lavallee et al.	540	145
AC	4,857,300	Aug. 15, 1989	Maksem	424	3
AD	4,930,516	Jun. 5, 1990	Alfano et al.	128	665
AE	5,004,811	Apr. 2, 1991	Bommer et al.	540	145
AF	5,162,231	Nov. 10, 1992	Cole et al.	436	64
AG	5,391,547	Feb. 21, 1995	Cole et al.	514	184

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AH	M.W. Berns et al. <i>"In Vitro Cellular Effects of Hematoporphyrin Derivative."</i> Cancer Research, vol. 42, no. 6 cnrea 8, June 1982, pages 2325-2328.
AI	Cole, D.A. et al. <i>"Copper-67 Labeled Porphyrin Localization In Inflamed Tissue."</i> Copper Bioavailabilty and Metabolism, 29-Mar.-1990, pages 259-272.
AJ	Cole, D.A. et al. <i>"The Biological Characteristics of a Water Soluble Porphyrin in Rat Lymph Nodes."</i> Nucl. Med. Biol., vol. 17, no. 5, 1990, pages 457-464.
AK	D. A. Cortese et al., <i>"Hematoporphyrin Derivative in the Detection and Localization of Radiographically Occult Lung Cancer,"</i> Am. Rev. Respir. Dis. Vol. 126, no. 1, 1087-1088 (1982).

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Patent and Trademark Office

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AL	Biological Abstracts vol. 82, no. 8, 1986, Philadelphia, PA, US; abstract no. 75075, M. Dellinger et al. , " <i>Cellular uptake of hydroxyethylvinyldeuteroporphyrin and photoinactivation of cultivated human leukemia (REH6) cells</i> ," Abstract page AB-679 of Photochem. Photobiol., vol. 43, no. 6, 1986, pages 639-648.
AM	Firnaeu, G. et al. " <i>Cu Labeling of Hematoporphyrin Derivative for Non-Invasive In-Vivo Measurements of Tumor Uptake</i> ." Porphyrin Localization and Treatment of Tumors, Alan R. Liss, Inc., ed, 1984, pages 629-636.
AN	Hambright, P. et al. " <i>The Distribution of Various Water Soluble Radioactive Metalloporphyrins in Tumor Bearing Mice</i> ." Bioinorganic Chemistry, vol. 5, 1975, pages 87-92.
AO	Kato, H. et al. " <i>Early Detection of Lung Cancer by Means of Hematoporphyrin Derivative Fluorescence and Laser Photoradiation</i> ." Clinics in Chest Medicine, vol. 6, no. 2, June 1985, pages 237-253.
AP	J. A. Mercer-Smith et al. , " <i>The Development of Copper-67-Labeled Porphyrin-Antibody Conjugates</i> ," Targeted Diagnosis and Therapy, vol. 1, Antibody-Mediated Delivery Systems; J. D. Rodwell, Ed. (Marcel-Dekker), New York, 1988 pp. 317-352.
AQ	Biological Abstracts vol. 68, no. 10, 1979, Philadelphia, PA, US; abstract no. 62117, J. Moan et al. , " <i>The mechanism of photodynamic inactivation of human cells in vitro in the presence of haematoporphyrin</i> ," Abstract page 6230, BR. J. Cancer, vol. 39, no. 4, 1979, pages 398-407.
AR	Biological Abstracts vol. 85, no. 5, 1988, Philadelphia, PA, US; abstract no. 49732, J. Moan et al. , " <i>Photosensitizing efficiencies, tumor and cellular uptake of different photosensitizing drugs relevant for photodynamic therapy of cancer</i> ." Abstract page AB-723 of Photochem. Photobiol., vol. 46, no. 5, 1987, pages 713-722.

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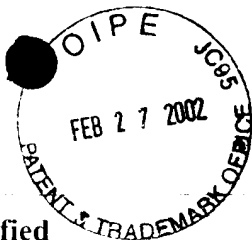
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AS	Biological Abstracts vol. 86, no. 7, 1988, Philadelphia, PA, US; abstract no. 72079, J. Moan et al., "A change in the quantum yield of photoinactivation of cells observed during photodynamic treatment." Abstract page AB-772 of Lasers Med. Sci., vol. 3, no. 2, 1988, pages 93-98.
AT	Musser, D.A. et al. "The Binding of Tumor Localizing Porphyrins to a Fibrin Matrix and Their Effects Following Photoirradiation." Res. Comm. In Chem. Path. and Pharm., vol. 28, no. 3, June 1980, pages 505-525.
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AV	Roberts, J.C. "Preparation and characterization of copper-67 porphyrin-antibody conjugates." Journal of Immun. Methods, vol. 105, 1987, pages 153-164.
AW	Shulok, J.R. et al. "Subcellular Localization of Hematoporphyrin Derivative in Bladder Tumor Cells in Culture." Photochem. And Photobiol., vol. 51, no. 4, 1990, pages 451-457.
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